Category "B" (75% Central funding):

Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Gujarat, Rajasthan, Punjab, Himachal Pradesh, Uttaranchal, Uttar Pradesh, West Bengal, Madhya Pradesh, Maharashtra, Orissa, Goa, Haryana, Karnataka, Kerala, Tamil Nadu and Sikkim.

Status of products after expiry of EMRs

*309. SHRI UDAY PRATAP SINGH: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that Exclusive Marketing Rights (EMRs) were applicable only upto 31st October, 2004;

(b) if so, what are the details of the products and companies for which EMRs were granted by the Patent Office; and

(c) what is the status of these products after the expiry of EMRs and whether they automatically came under the new product patent?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI KAMAL NATH): (a) No, Sir. The Patents Act, 1970, as amended by the Patents (Amendment) Act, 1999, provided for grant of exclusive marketing rights (EMRs) in the fields of pharmaceuticals and agricultural chemicals on fulfilment of certain conditions for a period of five years or till the product patent is granted or patent application is rejected, whichever is earlier. These provisions have since been omitted with effect from January 01, 2005 by the Patents (Amendment) Ordinance, 2004.

(b) and (c) A Statement is laid on the Table of the House.

Statement

Status of products after expiry of EMRs

(b) The details of the products and companies for which EMRs were granted by the Patent Office are as under:

1. United Phosphorus Ltd., India-Synegistic Fungicidal composition comprising of Carbendazim and Manocozeb (Antifungal Insecticide)

2. Novartis AG, Switzerland-Imatinib Mesylate (Anti tumour agent)

3. Wockhardt Ltd., India-Nadifloxacin. 1% Cream (Antibacterial)

4. Eli Lilly Company, USA-Tadalafil Tablet (for erectile dysfunction)

(c) After the expiry of the term of the EMR or from the date of grant of patent or rejection of the product patent applications, whichever is earlier, the EMR shall have no effect. As per the provision of the Patents (Amendment) Ordinance, 2004, the applications in respect of which exclusive rights have been granted before the 1st day of January, 2005 are required to be examined. This is being done by the Patent Office as per the law.

Depletion of iron-ore resources in the country

*310. SHRI PYARIMOHAN MOHAPATRA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government are aware of serious depletion in the iron-ore resources of the country due to substantial increase in export of iron-ore and fines in recent years;

(b) whether Government are aware of the surge in investment of steel making in the country, particularly in the Eastern Sector; and

(c) if so, the steps being proposed by Government to stop, reduce or control export of iron-ore and fines?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI KAMAL NATH): (a) No, Sir.

(b) Yes, Sir.

(c) The export is limited to surplus fines after meeting the domestic requirement and the long term commitments in the case of lumpy ore.

Facilities to BRO personnel

*311. DR. NARAYAN SINGH MANAKLAO: Will the Minister of DEFENCE be pleased to state:

(a) whether Government are aware that the personnel of Border Road Organisation (BRO), though work in critical border areas, do not get the facilities of ration, uniform, etc., commensurate to their counterparts in Defence services;